

ACTION MINUTES OF THE SAINT PAUL CITY COUNCIL

Wednesday, November 28, 2007 - 3:30 p.m.

CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Mary Erickson - 651-266-8565 Joan Reidell – 651-266-8610 Office of the City Council

Present – 4 – Bostrom, Helgen, Lantry, Montgomery Absent – 3 – Benanav (excused; arrived later in the meeting), Harris (excused), Thune (arrived after roll call)

CONSENT AGENDA (Items 1 – 17)

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

COMMUNICATIONS AND ADMINISTRATIVE ORDERS

1. Claims of Jan P. Gasterland, Arthur W. Katzman, Julie A. Korf, Sharon G. Murphy, Yevgeniy Shimelfarb, and Darlene C. Tucker.

Referred to Risk Management

2. First Amended Complaint in the matter of Aurelia (Rita) Tessmer vs. the City of Saint Paul. (332 St. Clair Avenue)

Referred to the City Attorney's Office

- 3. Letter from the Office of the City Attorney announcing an Administrative Hearing on Tuesday, December 4, 2007 at 9:30 a.m., Room 42 City Hall/Courthouse, 15 West Kellogg Boulevard, concerning the Cigarette/Tobacco license held by Super Day, Inc., d/b/a Super Day, Inc., 281 Snelling Avenue North.
- 4. Administrative Orders:

D002684 Authorizing the Police Department to use funds to pay for hall rental for a Family Night training and orientation session for newly hired police recruits and their families.

D002685 Authorizing the Police Department to use funds to pay for expenses,

including meals, related to the 2007-2 Police Recruit Academy training at Camp Ripley, Little Falls, Minnesota on December 2-7,

2007.

D002686 Authorizing the proper City officials to remit an amount not to

exceed \$650.00 to Big Top Wine and Spirits to cover expenses for alcoholic beverages and refreshments for civilian volunteers participating in the Standardized Field Sobriety Tests and DUI

Procedures training on December 10-12, 2007.

On File with the City Clerk

FOR ACTION

5. Approval of minutes of September 19 and 26, 2007.

Adopted Yeas - 5 Nays - 0

6. Resolution – 07-1122 – Amending the 2007 Capital Improvement Budget to include outdoor refrigerated ice rinks. (GS 3045436)

Laid over to December 5 Yeas - 5 Nays - 0

7. Resolution – 07-1123 – Approving a waiver of Neighborhood STAR Program Guidelines for three outdoor refrigerated skating rinks. (GS 3046091)

Laid over to December 5 Yeas - 5 Nays - 0

8. Resolution – 07-1124 – Authorizing application to the Department of Housing and Urban Development for an Economic Development Initiative-Special Project Grant for the Ames Lake Neighborhood Project. (GS 3046171)

Adopted Yeas - 5 Nays - 0

9. Resolution – 07-1125 – Authorizing the Police Department to apply for and accept a Federal Port Security Grant in the amount of \$2,218,650 to be used for a video surveillance intrusion detection system and security enhancement of Lambert's Landing. (GS 3046172)

Adopted Yeas - 5 Nays - 0

10. Resolution – 07-1126 – Authorizing the Police Department to accept a donation in the amount of \$135,391.00 from the Saint Paul Foundation. (GS 3044972)

Adopted Yeas – 5 Navs – 0

11. Resolution – 07-1127 – Authorizing the Police Department to enter into an agreement with the State of Minnesota, Dakota County Technical College, for an Emergency Vehicle Operation Course Training for newly hired police recruit officers. (GS 3045144)

Adopted Yeas - 5 Nays - 0

12. Resolution – 07-1128 – Establishing a 2007 financing and spending plan in the Police Department for an Underage Compliance Check Grant received from the State of Minnesota in the amount of \$2,500.00. (GS 3045290)

Adopted Yeas – 5 Nays - 0

13. Resolution – 07-1129 – Establishing a 2007 financing and spending plan for a Gang Resistance Education and Training Grant received from the United States Department of Justice in the amount of \$86,753.00. (GS 3045272)

Adopted Yeas – 5 Nays - 0

14. Resolution – 07-1130 – Memorializing City Council action taken November 7, 2007 granting the application of James and Angela Goddard for variance of subdivision regulations to permit the creation of a dead-end alley by vacating a section of the alley from 535 Montcalm Place North to Montcalm Place. [ZF 07-169-743] (GS 3046211)

Adopted Yeas – 5 Nays - 0

15. Resolution – 07-1131 – Memorializing City Council action taken November 7, 2007 denying the appeal for property at 906 Charles Avenue, per the recommendation of the Legislative Hearing Officer. (GS 3046270)

Adopted Yeas – 5 Nays - 0

16. Resolution – 07-1132 – Memorializing City Council action taken November 7, 2007 denying the appeal for property at 98 Garfield Street, per the recommendation of the Legislative Hearing Officer. (GS 3046271)

Adopted Yeas - 5 Nays - 0

17. Resolution Approving Assessment – 07-1133 – In the matter of boarding up vacant buildings during August, 2007 [J0707B]; summary abatement (graffiti removal)

from October 13 to October 23, 2007 [J0707P]; summary abatement (excessive consumption of inspection services) for property code violations from June 28 to August 1, 2007 [J0706E]; summary abatement (property clean up) on private property from October 15 to October 30, 2007 [J0717A]; weekly garbage hauling from October 15 to October 30, 2007 [J0717G]; towing abandoned vehicles from private property during August, 2007 [J0706V]; demolition of vacant buildings at 78 Sycamore Street East and 614 Wells Street during November, 2007 [J0704T2]; removing diseased elm trees from 652 Sims Street in 2007 [0704T2]; and setting date of Legislative Hearings for December 18, 2007 and City Council public hearings for February 6, 2008. (GS 3046310)

Adopted Yeas – 5 Nays - 0

FOR DISCUSSION

18. Presentation by Mayor Coleman's delegation to Thailand on the results of its fact-finding mission to address the Hmong grave desecration.

Presentation given by Senator Mee Moua.

(Benanav arrived at the meeting)

19. Presentation by the Hall Legal Team of the Review and Performance Audit of the City of Saint Paul, and the Housing and Redevelopment Authority efforts relating to inclusion of women, minorities and persons with disabilities in City/HRA economic opportunities.

Presentation given by James H. Hall, Jr.

ORDINANCES

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE <u>SAINT PAUL LEGAL LEDGER</u>.

20. Final Adoption – 07-1048 – An ordinance amending Chapters 87, 88, 89, 90, 91, 92, and 94 of the Saint Paul Legislative Code pertaining to the rules and regulations of the Board of Water Commissioners to increase fines, revise process for establishing certain charges, and general housekeeping. (GS 3044891)

Adopted Yeas – 6 Nays - 0

21. Final Adoption – 07-1049 – An ordinance amending Chapter 402 of the Saint Paul Legislative Code to allow Bar Bingo. (GS 3045750)

Adopted Yeas -6 Nays -0

22. Final Adoption – 07-1050 – An ordinance amending Chapter 403 of the Saint Paul Legislative Code to allow Bar Bingo. (GS 3045752)

Adopted Yeas – 6 Nays - 0

23. Final Adoption – 07-1051 – An ordinance amending Chapter 409 of the Saint Paul Legislative Code to allow Bar Bingo. (GS 3045751)

Adopted Yeas - 6 Nays - 0

- 24. Final Adoption 07-1052 An ordinance amending Chapter 331A of the Saint Paul Legislative Code and creating Section 331A.11 of Chapter 331A to establish a system of administrative enforcement of Food Safety regulations. (GS 3045798)

 Adopted Yeas 6 Nays 0
- 25. Final Adoption 07-1053 An ordinance amending Chapter 310 of the Saint Paul Legislative Code to include administrative penalties for food code violations. (GS 3045801)

Adopted Yeas - 6 Nays - 0

26. Final Adoption – 07-1066 – An ordinance amending Chapter 331A.04 of the Saint Paul Legislative Code creating additional classifications of restaurants. (GS 3046099)

Adopted Yeas - 6 Nays - 0

27. Second Reading – 07-1106 – An ordinance amending Chapter 64 of the Saint Paul Legislative Code to permit the conversion of legal nonconforming billboards to ones with "dynamic displays," i.e., electronic billboards, in exchange for permanently removing traditional billboards, and also to regulate the locations and operating standards for billboards with dynamic displays. (Substitute introduced November 21) (GS 3046312)

Laid over to December 5 for third reading/public hearing

28. Second Reading – 07-1107 – An ordinance amending Chapter 161 of the Saint Paul Legislative Code to permit snow emergency tags to be written by Final

Adoption party vendors and to delete obsolete references to Ramsey County Municipal Court. (GS 3046094)

Laid over to December 5 for third reading/public hearing

29. Second Reading – 07-1108 – An ordinance granting the District Heating Franchise, held by the District Energy St. Paul, Inc., for a period of twenty years, ending in 2027. (GS 3046330)

Laid over to December 5 for third reading/public hearing

30. Second Reading – 07-1109 – An ordinance granting the District Cooling Franchise, held by the District Energy St. Paul, Inc., for a period of twenty years, ending in 2027. (GS 3046332)

Laid over to December 5 for third reading/public hearing

Suspension Item:

Resolution – 07-1135 – Declaring Wednesday, November 28, 2007, the day that Saint Paul Mayor Chris Coleman and Saint Paul City Council formally receives the Saint Paul Equal Access Audit, be remembered as *Caty Royce Day* in the City of Saint Paul.

Council Meeting Information

Web

Meetings are available on the Council's Web site. Email notification and web feeds (RSS) of newly released Minutes, Agendas and Meetings are available by subscription. Please visit http://www.stpaul.gov/council/ for meeting videos and updated copies of the agendas, minutes and supporting documents.

Cable

Meetings are live on St Paul Channel 18 and replayed on: Thursdays at 5:30 p.m., Saturdays at 12:30 p.m., and Sundays at 1:00 p.m. (Subject to change)
